

any objections to the R&R—which explicitly stated that failure to file timely objections “will waive the right to appeal”—we review the magistrate judge’s decision for plain error. (Docket No. 56 at 5). See Brightwell v. Lehman, 637 F.3d 187, 193 (3d Cir. 2011) (citing Nara v. Frank, 488 F.3d 187, 194 (3d Cir. 2007)); see also Fed. R. Civ. P. 72(b), Advisory Committee Notes, 1983 Addition (“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” (citing Campbell v. U.S. District Ct., 501 F.2d 196, 206 (9th Cir. 1974), cert. denied, 419 U.S. 879 (1974))).

In this case, upon careful review of the R&R and the entire record, including Plaintiff’s Motion, Defendants’ responses in opposition thereto and Plaintiff’s reply, the Court, finding no plain error on the face of the record, will accept Judge Kelly’s recommendation. As such, the Court will adopt the R&R as the Opinion of the Court, and will deny Plaintiff’s Motion seeking injunctive relief.

Accordingly, in view of the foregoing, the Court enters the following Order:

AND NOW, this 13th day of January, 2021,

IT IS HEREBY ORDERED that the R&R (Docket No. 56) is ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that Plaintiff’s Motion seeking a preliminary injunction and a temporary restraining order (Docket No. 9) is DENIED for the reasons set forth in the R&R.

/s/ W. Scott Hardy
W. Scott Hardy
United States District Judge

cc/ecf: All counsel of record

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